

O R D E R

OF THE MINISTER OF FOREIGN TRADE AND SHIPPING
ON FISHING CONDITIONS IN THE POLISH SEA FISHERY
ZONE BY FOREIGN FISHING VESSELS

22 DECEMBER, 1977

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Basing upon Article 4 of the Fisheries Act on Polish Sea
Fishery Zone from 17 December 1977 /Law Gazette No 37, item 163/,
I institute the following:

§ 1. Provisions of this Order shall be applied to fishing activities by
foreign vessels in Polish sea fishery zone.

§ 2.1. Foreign fishing vessels may operate in Polish sea fishery zone if
such a possibility is provided by an international agreement between Poland
and the state whose flag the foreign vessel is flying.

2. Following species may be fished in the Polish sea fishery zone by
foreign fishing vessels:

- 1/ Cod /Gadus morrhua L./
- 2/ Herring /Clupea harengus L./
- 3/ Sprat /Sprattus sprattus L./

3. Anadromous and catodromous species may be fished only in exceptional
cases if provided by an agreement between Poland and the state whose flag
the foreign vessel is flying.

§ 3. Foreign vessels may not operate in Polish sea fishery zone if accompanied
by mother-ships or connecting vessels.

§ 4. Both the total allowable catch and the fishing period are limited for foreign fishing vessels flying the flag of a state which is a party to an agreement on fishing in Polish sea fishery zone.

§ 5. A foreign fishing vessel operating in the Polish sea fishery zone should keep a fishing log-book in which following items should be indicated: period of fishing, fishing area marked with coordinates, kind and number of fishing gears and the way of their use, number of catch operations and the duration of each of them specifying time of its beginning and of its end as well as the depth where it started, types of fishing nets and minimum mesh size, catch results specifying species in each operation.

§ 6.1. With reservation to § 2.1. foreign fishing vessel may operate in Polish sea fishery zone only when having licence issued by appropriate maritime office. Such licence should be kept on board the vessel and shown to Polish authorities whenever required.

2. The licence which is referred to in § 6.1. shall be issued for not longer than one year and after having paid the fee which shall be laid down by special regulations unless the provisions of the international agreement decide otherwise.

3. Vessels longer than 30 metres or adjusted to produce fish meal cannot be granted such a licence.

4. Application for the licence should indicate: nationality of the vessel, type of the vessel, name of the vessel, vessel registration number, call signs, home port, engine horsepower, overall length tonnage and maximum speed of the vessel, name and address of the shipowner, name and surname of the master and the number of crew, contemplated period and area of operating according to the scheme of subdivisions and units as shown in the maps 301 and 302, contemplated number of fishing days, target species to be

caught /cod, herring, sprat, etc./, and predicted type of catch operations and fishing gear to be used, place and date of issuing the application and the applicant's signature. The application should be submitted to appropriate maritime office not later than 90 days before starting planned operations.

§ 7.1. The entry to the Polish sea fishery zone in order to fish as well as leaving this zone should be notified by the foreign fishing vessel to the appropriate maritime office through Polish coast radio stations. The coordinates of the point where the boundary of the zone is crossed should be registered in the log-book. The day of entry and the day of leaving the zone are included to the number of days the vessel is allowed to stay and operate within the zone.

2. Apart from reporting provided by the international agreement the foreign fishing vessels operating in Polish sea fishery zone should report by radio on her each day fishing activities indicating area, fishing gear used and each day catch for each species.

3. After having reached the catch limits or the limits of the period she is allowed to operate, the vessel which is referred to in § 4 must leave Polish sea fishery zone.

8. 1. Fishing for species indicated in the international agreement should be carried out according to the recommendations of the International Baltic Sea Fishery Commission, which are accepted by Poland, with reservations to the provisions of paragraph 2 item 3 and 4 and paragraph 3,4 and 5.

2. It is unlawful in Polish sea fishery zone to:

- 1/ fish for species which are not indicated in the international agreement or have on board nets which are not appropriate for fishing for species indicated in the licence,

2/ use fishing gear having a mesh size /measured when wet/ less than 18 mm /bar length/if the weight of sprat is less than 50 per cent of the total catch,

3/ use fishing gear having a mesh size /measured when wet/ less than 90 mm /diagonal length/ if by-catch of cod exceeds 20 per cent of the total catch,

4/ catch herring having , when fresh , a total length/measured from nose to the longest tail fin ray/ less than 16 cm.

3. Allowable by-catch of undersized herring may amount to 20 per cent of the weight of all herring - like fishes actually on board of the vessel.

4. When the by-catch of undersized herring is bigger than the allowable 20 per cent the vessel must change her gear or leave the fishing area immediately.

5. The mesh size in the cod end chafers cannot cross with meshes of the cod end.

6. Incidental by-catch of species not indicated in the international agreement should be let back immediately to the sea.

§ 9. If a licensed foreign fishing vessel is found violating any of the provisions of this Order she may be deprived by appropriate maritime office of her licence periodically or permanently or may be suspended, which would mean deprivation of the days the vessel was entitled to operate within the Polish sea fishery zone.

§ 10. 1. While operating in Polish sea fishery zone foreign fishing vessel are subject to control whether they comply with the provisions of the regulations which are in force in this zone.

2. Control is carried out by Coast Guard units and appropriate maritime offices.

§ 11.1. Control which is referred to in § 10 is carried out by authorised inspectors on behalf of appropriate maritime offices. The inspectors carry appropriate documents of identity according to the Annex 1.

2. Vessels carrying inspectors fly a special flag as shown in the Annex 2.

3. Intention of inspecting a foreign vessel is signaled according to international signal-code /L/.

4. The foreign fishing vessel, when called, should stop immediately and enable the inspector to get on her board.

§ 12.1. While in Polish sea fishery zone a foreign fishing vessel cannot refuse taking the inspector on board.

2. The master of the foreign vessel shall enable the inspector to examine whether he complies with the provisions of the regulations and particularly:

1/ give required explanations,

2/ show required documents,

3/ show to the catch and the fishing gear both on board and under the deck of the vessel,

4/ provide the inspector with all assistance which is necessary to fulfill his duty.

§ 13. The inspector shall draw up a report of the inspection or put it down in the log-book.

§ 14. Details concerning the inspection which are not reflected in this Order shall be applied in accordance with the recommendations of the International Baltic Sea Fishery Commission.

§ 15. This Order entry into force on 1 January 1978. -

MINISTER OF FOREIGN TRADE
AND SHIPPING